

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SIMONTON BUILDING PRODUCTS, INC.,

Plaintiff,

v.

// CIVIL ACTION NO. 1:07CV62  
(Judge Keeley)

ORIN S. JOHNSON, GARY A. JONES,  
and AM-RAD, INC.,

Defendant.

**ORDER GRANTING DEFENDANTS' MOTION AND  
RESCHEDULING THE SCHEDULING CONFERENCE**

On July 18, 2007, the defendants, through their counsel, filed a motion requesting that the Court continue the scheduling conference currently scheduled for August 24, 2007. As grounds for the motion, the defendants state that their lead counsel has an irreconcilable conflict ON that date, but believes that his presence is necessary at the conference to address the pending motion to dismiss. The parties have conferred in an effort to find an alternate date, but their efforts have been unsuccessful. On July 19, 2007, the plaintiff responded to the motion, stating that it agrees that the scheduling conference should be held in September 2007 at the earliest opportunity when the Court and the parties are available. The parties have advised the Court of their availability in September 2007.

**ORDER GRANTING DEFENDANTS' MOTION TO AMEND FIRST ORDER**

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Good cause having been shown, the Court **GRANTS** the defendants' motion (dkt no. 23) and **RESCHEDULES** the scheduling conference for **September 26, 2007 at 3:00 p.m.**

It is so **ORDERED**.

The Clerk of the Court is directed to transmit copies of this Order to counsel of record for the parties.

DATED July 20, 2007.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE